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WESTERN DISTRICT OF LOUISIANA

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

JESSIE MARTIN

CRIMINAL NO. 06-1383

VERSUS

JUDGE ROBERT G. JAMES

**WARDEN FORT WADE CORRECTIONAL
CENTER**

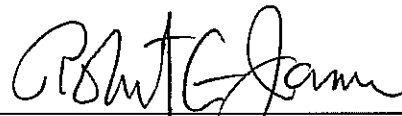
MAG. JUDGE KAREN L. HAYES

CERTIFICATE OF APPEALABILITY

A final order having been filed in the above-captioned habeas case [Doc. No. 23], the Court, considering the record in this case and the requirements of 28 U.S.C. § 2253, hereby finds that:

The certificate of appealability is GRANTED because the applicant has made a substantial showing that the admission of a 911 tape and the victim's statement to the police officer who responded to the 911 call may have violated his Sixth Amendment Confrontation Clause rights. Reasonable jurists could debate and/or disagree with the Court's conclusion that such statements were not testimonial.

MONROE, LOUISIANA, this 4 day of June, 2007.



ROBERT G. JAMES
UNITED STATES DISTRICT JUDGE